

Murtha
Price (NC)
Radanovich
Ramstad

Renzi
Reyes
Thornberry
Tierney

Waters
Young (AK)

□ 1103

Messrs. CARNAHAN, ELLISON, DONNELLY, NEAL of Massachusetts, DOGGETT, FILNER, and MEEK of Florida changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2881, FAA REAUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, reiterating our opposition to the previous question and the rule, urging all of our colleagues to vote "no" on the previous question and the rule, I yield back the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I will just close by saying this is an important bill. It makes significant improvements to the aviation industry. I urge a "yes" vote on the rule, H. Res. 664.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 664 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject be-

fore the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute vote on adoption of H. Res. 664, if ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 189, not voting 20, as follows:

[Roll No. 887]

YEAS—223

| | | |
|----------------|------------------|------------------|
| Abercrombie | Green, Gene | Oberstar |
| Ackerman | Grijalva | Obey |
| Allen | Gutierrez | Oliver |
| Altmire | Hall (NY) | Ortiz |
| Andrews | Hare | Pallone |
| Arcuri | Harman | Pascarell |
| Baca | Hastings (FL) | Pastor |
| Baird | Hersteth Sandlin | Payne |
| Baldwin | Higgins | Perlmutter |
| Bean | Hill | Peterson (MN) |
| Becerra | Hinchey | Pomeroy |
| Berkley | Hinojosa | Price (NC) |
| Berman | Hirono | Rahall |
| Berry | Hodes | Rangel |
| Bishop (GA) | Holden | Reyes |
| Bishop (NY) | Holt | Richardson |
| Blumenauer | Honda | Rodriguez |
| Boren | Hooley | Ross |
| Boswell | Hoyer | Rothman |
| Boucher | Inslee | Roybal-Allard |
| Boyd (FL) | Israel | Ruppersberger |
| Boyda (KS) | Jackson (IL) | Rush |
| Brady (PA) | Johnson, E. B. | Ryan (OH) |
| Braley (IA) | Jones (OH) | Salazar |
| Brown, Corrine | Kagen | Sánchez, Linda |
| Buchanan | Kanjorski | T. |
| Butterfield | Kaptur | Sanchez, Loretta |
| Capps | Kennedy | Sarbanes |
| Capuano | Kildee | Schakowsky |
| Cardoza | Kilpatrick | Schiff |
| Carnahan | Kind | Schwartz |
| Castor | Klein (FL) | Scott (GA) |
| Chandler | Kucinich | Scott (VA) |
| Clarke | Langevin | Serrano |
| Clay | Lantos | Sestak |
| Cleaver | Larsen (WA) | Shea-Porter |
| Clyburn | Larson (CT) | Sherman |
| Cohen | LaTourette | Shuler |
| Conyers | Lee | Sires |
| Cooper | Levin | Skelton |
| Costa | Lewis (GA) | Slaughter |
| Costello | Lipinski | Smith (WA) |
| Courtney | Loebach | Snyder |
| Cramer | Lofgren, Zoe | Solis |
| Crowley | Lowe | Space |
| Cuellar | Lynch | Spratt |
| Cummings | Mahoney (FL) | Stark |
| Davis (AL) | Maloney (NY) | Stupak |
| Davis (CA) | Markey | Sutton |
| Davis (IL) | Matheson | Tanner |
| Davis, Lincoln | Matsui | Tauscher |
| DeFazio | McCarthy (NY) | Taylor |
| DeGette | McCollum (MN) | Thompson (CA) |
| DeLauro | McDermott | Thompson (MS) |
| Dicks | McGovern | Tierney |
| Dingell | McIntyre | Towns |
| Doggett | McNerney | Udall (CO) |
| Donnelly | McNulty | Udall (NM) |
| Doyle | Meek (FL) | Van Hollen |
| Edwards | Meeks (NY) | Velázquez |
| Ellison | Melancon | Visclosky |
| Ellsworth | Michaud | Walz (MN) |
| Emanuel | Miller (NC) | Wasserman |
| Engel | Miller, George | Schultz |
| Eshoo | Mitchell | Watson |
| Etheridge | Mollohan | Watt |
| Farr | Moore (KS) | Waxman |
| Filner | Moore (WI) | Weiner |
| Frank (MA) | Moran (VA) | Welch (VT) |
| Giffords | Murphy (CT) | Wexler |
| Gillibrand | Murphy, Patrick | Wilson (OH) |
| Gonzalez | Murtha | Woolsey |
| Gordon | Nadler | Wu |
| Green, Al | Napolitano | Wynn |
| | Neal (MA) | Yarmuth |

NAYS—189

| | | |
|---------------|---------------|-----------------|
| Aderholt | Brady (TX) | Conaway |
| Akin | Broun (GA) | Crenshaw |
| Alexander | Brown (SC) | Culberson |
| Bachmann | Brown-Waite, | Davis (KY) |
| Bachus | Ginny | Davis, David |
| Baker | Burgess | Davis, Tom |
| Barrett (SC) | Burton (IN) | Deal (GA) |
| Barrow | Buyer | Dent |
| Bartlett (MD) | Calvert | Diaz-Balart, L. |
| Biggert | Camp (MI) | Diaz-Balart, M. |
| Bilbray | Campbell (CA) | Doolittle |
| Bishop (UT) | Cannon | Drake |
| Blackburn | Cantor | Dreier |
| Blunt | Capito | Duncan |
| Boehner | Carter | Ehlers |
| Bonner | Castle | Emerson |
| Bono | Chabot | English (PA) |
| Boozman | Coble | Everett |
| Boustany | Cole (OK) | Fallin |

| | | | | | | | | |
|---------------|--------------------|---------------|-----------------|-----------------|---------------------|--------------------|---------------|--------------|
| Ferguson | Latham | Rehberg | Clarke | Kagen | Rangel | Kuhl (NY) | Paul | Shays |
| Flake | Lewis (CA) | Reichert | Clay | Kanjorski | Reyes | LaHood | Pearce | Shimkus |
| Forbes | Lewis (KY) | Renzi | Cleaver | Kaptur | Richardson | Lamborn | Pence | Shuler |
| Fortenberry | Linder | Reynolds | Clyburn | Kennedy | Rodriguez | Lampson | Peterson (PA) | Shuster |
| Fossella | LoBiondo | Rogers (AL) | Cohen | Kildee | Ross | Latham | Pickering | Simpson |
| Foxo | Lucas | Rogers (KY) | Conyers | Kilpatrick | Rothman | Lewis (CA) | Pitts | Smith (NE) |
| Franks (AZ) | Lungren, Daniel E. | Rogers (MI) | Cooper | Kind | Roybal-Allard | Lewis (KY) | Platts | Smith (NJ) |
| Frelinghuysen | Mack | Ros-Lehtinen | Costa | Klein (FL) | Ruppersberger | Linder | Poe | Smith (TX) |
| Gallegly | Manzullo | Royce | Costello | Kucinich | Rush | LoBiondo | Porter | Souder |
| Garrett (NJ) | Marchant | Ryan (WI) | Courtney | Luegvin | Ryan (OH) | Lucas | Price (GA) | Stearns |
| Gerlach | McCarthy (CA) | Sali | Cramer | Lantos | Salazar | Lungren, Daniel E. | Pryce (OH) | Sullivan |
| Gilchrest | McCaul (TX) | Saxton | Crowley | Larsen (WA) | Sánchez, Linda T. | Mack | Putnam | Tancred |
| Gingrey | McCotter | Schmidt | Cuellar | LaTourette | Sanchez, Loretta T. | Manzullo | Radanovich | Terry |
| Gohmert | McCrery | Sensenbrenner | Cummings | Lee | Sarbanes | Marchant | Ramstad | Tiahrt |
| Goode | McHenry | Sessions | Davis (AL) | Levin | Schakowsky | McCarthy (CA) | Regula | Tiberi |
| Goodlatte | McKeon | Shadegg | Davis (CA) | Lewis (GA) | Schiff | McCaul (TX) | Rehberg | Turner |
| Granger | McMorris | Shays | Davis (IL) | Lipinski | Schwartz | McCotter | Reichert | Upton |
| Graves | McMorris | Shimkus | Davis, Lincoln | Loeback | Scott (GA) | McCrery | Reynolds | Walberg |
| Hall (TX) | Rodgers | Shuster | DeFazio | Lofgren, Zoe | Scott (VA) | McHenry | Rogers (AL) | Walden (OR) |
| Hastings (WA) | Mica | Simpson | DeGette | Lowey | Serrano | McKeon | Rogers (KY) | Walsh (NY) |
| Hayes | Miller (FL) | Smith (NE) | Delahunt | Mahoney (FL) | Sestak | McMorris | Rogers (MI) | Wamp |
| Heller | Miller (MI) | Smith (NJ) | DeLauro | Maloney (NY) | Shea-Porter | Rodgers | Rohrabacher | Weldon (FL) |
| Hensarling | Miller, Gary | Smith (TX) | Dicks | Markey | Sherman | Mica | Ros-Lehtinen | Weller |
| Herger | Moran (KS) | Souder | Dingell | Matheson | Sires | Miller (FL) | Roskam | Westmoreland |
| Hobson | Murphy, Tim | Stearns | Donnelly | Matsui | Skelton | Miller (MI) | Royce | Whitfield |
| Hoekstra | Musgrave | Sullivan | Doyle | McCarthy (NY) | Slaughter | Moran (KS) | Ryan (WI) | Wicker |
| Hulshof | Myrick | Tancred | Edwards | McCollum (MN) | Smith (WA) | Murphy, Tim | Saxton | Wilson (NM) |
| Hunter | Neugebauer | Terry | Ellison | McDermott | Snyder | Musgrave | Schmidt | Wilson (SC) |
| Inglis (SC) | Nunes | Tiahrt | Elisworth | McGovern | Solis | Myrick | Sensenbrenner | Wolf |
| Issa | Paul | Tiberi | Emanuel | McIntyre | Space | Neugebauer | Sessions | Young (AK) |
| Johnson (IL) | Pearce | Turner | Engel | McNerney | Spratt | Nunes | Shadegg | Young (FL) |
| Johnson, Sam | Pence | Upton | Eshoo | McNulty | Stark | | | |
| Jones (NC) | Peterson (PA) | Walberg | Etheridge | Meek (FL) | Sutton | | | |
| Jordan | Petri | Walden (OR) | Farr | Meeks (NY) | Tanner | | | |
| Keller | Pickering | Walsh (NY) | Finer | Melancon | Tauscher | | | |
| King (IA) | Pitts | Wamp | Frank (MA) | Michaud | Taylor | | | |
| King (NY) | Platts | Weldon (FL) | Giffords | Miller (NC) | Thompson (CA) | | | |
| Kingston | Poe | Weller | Gonzalez | Miller, George | Thompson (MS) | | | |
| Kirk | Porter | Westmoreland | Gordon | Mitchell | Tierney | | | |
| Kline (MN) | Price (GA) | Whitfield | Green, Al | Mollohan | Towns | | | |
| Knollenberg | Pryce (OH) | Wicker | Green, Gene | Moore (KS) | Udall (CO) | | | |
| Kuhl (NY) | Putnam | Wilson (NM) | Grijalva | Moore (WI) | Udall (NM) | | | |
| LaHood | Radanovich | Wilson (SC) | Gutierrez | Moran (VA) | Van Hollen | | | |
| Lamborn | Ramstad | Wolf | Hall (NY) | Murphy (CT) | Velázquez | | | |
| Lampson | Regula | Young (FL) | Hare | Murphy, Patrick | Visclosky | | | |
| | | | Harman | Murtha | Walz (MN) | | | |
| | | | Hastings (FL) | Nadler | Wasserman | | | |
| | | | Herseth Sandlin | Napolitano | Schultz | | | |
| | | | Higgins | Neal (MA) | Watson | | | |
| | | | Hill | Oberstar | Watt | | | |
| | | | Hinchey | Obey | Waxman | | | |
| | | | Hinojosa | Olver | Weiner | | | |
| | | | Hirono | Ortiz | Welch (VT) | | | |
| | | | Hodes | Pallone | Wexler | | | |
| | | | Holden | Pascrell | Wilson (OH) | | | |
| | | | Holt | Pastor | Woolsey | | | |
| | | | Honda | Payne | Wu | | | |
| | | | Hooley | Perlmutter | Wynn | | | |
| | | | Hoyer | Peterson (MN) | Yarmuth | | | |
| | | | Israel | Petri | | | | |
| | | | Jackson (IL) | Pomeroy | | | | |
| | | | Johnson, E. B. | Price (NC) | | | | |
| | | | Jones (OH) | Rahall | | | | |

NOT VOTING—20

| | | |
|---------------|--------------|-------------|
| Barton (TX) | Feeney | Marshall |
| Bilirakis | Hastert | McHugh |
| Carney | Jackson-Lee | Rohrabacher |
| Carson | (TX) | Roskam |
| Cubin | Jefferson | Thornberry |
| Davis, Jo Ann | Jindal | Waters |
| Fattah | Johnson (GA) | Young (AK) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1121

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 218, nays 196, not voting 18, as follows:

[Roll No. 888]

YEAS—218

| | | |
|-------------|-------------|----------------|
| Abercrombie | Becerra | Boyda (KS) |
| Ackerman | Berkley | Brady (PA) |
| Allen | Berman | Braley (IA) |
| Altmire | Berry | Brown, Corrine |
| Andrews | Bishop (GA) | Butterfield |
| Arcuri | Bishop (NY) | Capps |
| Baca | Blumenauer | Capuano |
| Baird | Boren | Cardoza |
| Baldwin | Boswell | Carnahan |
| Barrow | Boucher | Castor |
| Bean | Boyd (FL) | Chandler |

NAYS—196

| | | |
|---------------|-----------------|---------------|
| Aderholt | Capito | Gallegly |
| Akin | Carter | Garrett (NJ) |
| Alexander | Castle | Gerlach |
| Bachmann | Chabot | Gilchrest |
| Bachus | Coble | Gillibrand |
| Baker | Cole (OK) | Gingrey |
| Barrett (SC) | Conaway | Gohmert |
| Bartlett (MD) | Crenshaw | Goode |
| Barton (TX) | Culberson | Goodlatte |
| Biggart | Davis (KY) | Granger |
| Bilbray | Davis, David | Graves |
| Bilirakis | Davis, Tom | Hall (TX) |
| Bishop (UT) | Deal (GA) | Hastings (WA) |
| Blackburn | Dent | Hayes |
| Blunt | Diaz-Balart, L. | Heller |
| Boehner | Diaz-Balart, M. | Hensarling |
| Bonner | Doolittle | Herger |
| Bono | Drake | Hobson |
| Boozman | Dreier | Hoekstra |
| Boustany | Duncan | Hulshof |
| Brady (TX) | Ehlers | Hunter |
| Broun (GA) | Emerson | Inglis (SC) |
| Brown (SC) | English (PA) | Issa |
| Brown-Waite, | Everett | Johnson (IL) |
| Ginny | Fallin | Johnson, Sam |
| Buchanan | Feeney | Jones (NC) |
| Burgess | Ferguson | Jordan |
| Burton (IN) | Flake | Keller |
| Buyer | Forbes | King (IA) |
| Calvert | Fortenberry | King (NY) |
| Camp (MI) | Fossella | Kingston |
| Campbell (CA) | Frelinghuysen | Kirk |
| Cannon | Franks (AZ) | Kline (MN) |
| Cantor | Frelinghuysen | Knollenberg |

NOT VOTING—18

| | | |
|---------------|--------------|------------|
| Carney | Inslee | Lynch |
| Carson | Jackson-Lee | Marshall |
| Cubin | (TX) | McHugh |
| Davis, Jo Ann | Jefferson | Thornberry |
| Doggett | Jindal | Waters |
| Fattah | Johnson (GA) | |
| Hastert | Larson (CT) | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair notes a disturbance in the gallery in contravention of the law and rules of the House.

The Sergeant at Arms will remove the persons responsible for the disturbance and restore order to the gallery.

□ 1131

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 667) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 667

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Langevin.

(2) COMMITTEE ON HOMELAND SECURITY.—Mr. Pascrell.

(3) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Ms. Richardson (to rank immediately after Mr. McNerney).

(4) COMMITTEE ON SMALL BUSINESS.—Mr. Higgins and Ms. Hirono.

(5) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Ms. Richardson.

The resolution was agreed to.

A motion to reconsider was laid on the table.